IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. 150-MA of 2006 (O&M)

Date of Decision :- December 6, 2006

State of Punjab Versus Amarjit Singh, Inspector

CORAM: HON'BLE MR. JUSTICE MEHTAB S.GILL
HON'BLE MR. JUSTICE BALDEV SINGH

Present:- Mr. Ramandeep Sandhu, DAG Punjab.

Mr. T.S.Sangha, Advocate for the respondent.

MEHTAB S.GILL, J.

Crl. Misc. No. 13590 of 2006

Delay of 26 days in filing the appeal is condoned, as per reasons mentioned in the application.

Crl. Misc. No. 150-MA of 2006

Affidavit of Amarjit Singh, Inspector is taken on record.

Learned counsel for the appellant has argued, that the learned trial Court acquitted the respondent without assigning any cogent and convincing reasons. He has further stated, that the respondent demanded Rs.20,000/- from the complainant as illegal gratification. The matter was settled at Rs.10,000/-. Out of which, he paid Rs.5,000/- at the spot. The remaining amount of Rs.5,000/- was to be paid on a later date. Complainant contacted the office of the Vigilance Bureau, Ferozepur. He

was accompanied by Rajesh Kumar PW8. DSP Surinder Singh PW9 went along with the raiding party and caught the respondent red handed accepting a bribe of Rs.5,000/-.

Learned counsel for the respondent has argued, that the shadow witness and the independent witness both resiled from their statements. This case was made against the respondent, as DSP Surinder Singh PW9 was inimical towards him.

We have heard the learned counsel for the parties and perused the impugned judgment.

Ashu Sharma PW3 and Rajesh Kumar PW8 have resiled from their statements. The case of the prosecution is that on 14.7.2003 the vigilance party headed by DSP Surinder Singh PW9, conducted a raid, as the respondent had demanded Rs.5,000/- as illegal gratification from complainant Ashu Sharma PW3. Ashu Sharma PW3 on oath has stated, that the respondent did not demand any illegal gratification from him. Similarly, Rajesh Kumar PW8 has stated, that he did not join the raiding party.

We do not find any infirmity in the judgment of the learned trial Court.

Dismissed.

(MEHTAB S.GILL)
JUDGE

(BALDEV SINGH)
JUDGE

December 6, 2006
SKA